CITAL BUILT 1/2/25/25

AN ORDINANCE relating to the Seattle Criminal Code, amending Section 12A.20 by adding a new Section .050 thereto to prohibit drug traffic loitering and prescribing penalties therefor.

The City of Seattle--Legislatin

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AN ORDINANCE relating to the Seattle Criminal Code, amending Section 12A.20 by adding a new Section .050 thereto to prohibit drug traffic loitering and prescribing penalties therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 12A.20 of the Seattle Municipal Code (Ordinance 102843) is amended by adding a new Section 12A.20.050 as follows:

12A.20.050 Drug-Traffic Loitering.

- A. As used in this section:
 - 1. "Conviction" means an adjudication of guilt pursuant to Titles 10 or 13 RCW, or the equivalent provisions of any federal statute, state statute or ordinance of any political subdivision of this state, and includes a verdict of guilty, a finding of guilty and an acceptance of a plea of guilty.
 - 2. "Drug paraphernalia" means drug paraphernalia as the term is defined in the Uniform Controlled Substance Act, RCW 69.50.102, excluding, however, items obtained from or exchanged at any needle exchange program sponsored by the Seattle-King County Yealth Department, and hupodestic formass or needles in the Possession of a Confirmed diabetic formass or needles in the Possession of a Confirmed diabetic formass or needles in the Possession of a Confirmed diabetic formass or needles in the Possession of a Confirmed diabetic formass or needles in the Possession of a Confirmed diabetic formass or needles in the Possession of a Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Possession of the Confirmed diabetic formass or needles in the Confirmed diabetic formass or needles i
 - 3. "Illegal drug activity" means unlawful conduct contrary to any provision of RCW Chapter 69.41, 69.50 or 69.52, or the equivalent federal statute, state statute, or ordinance of any political subdivision of this state.
 - 4. "Known drug trafficker" means a person who has, within the knowledge of the arresting officer, been convicted within the last two years in any court of any illegal drug activity.
 - 5. "Public place" is an area generally visible to public view and includes, but is not limited to, streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, transit stations, shelters and tunnels, automobiles (whether moving or not), and buildings, including those which serve food or drink, or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.
- B. A person is guilty of drug-traffic loitering if he or she remains in a public place and intentionally

2		enga 69.5	cits, induces, entices, or procures another to ge in unlawful conduct contrary to Chapter 0, Chapter 69.41, or Chapter 69.52 Revised Code ashington.
3 4	c.	dete	g the circumstances which may be considered in rmining whether the actor intends such ibited conduct are that he or she:
5		1.	Is seen by the officer to be in possession of drug paraphernalia; or
6		2.	Is a known drug trafficker; or
7 8		3.	Repeatedly beckons to, stops or attempts to stop passerby, or engages passerbys in conversation; or
9 10		4.	Repeatedly stops or attempts to stop motor vehicle operators by hailing, waving of arms or any other bodily gesture; or
11 12		5.	Circles an area in a motor vehicle and repeatedly beckons to, contacts, or attempts to stop pedestrians; or
13 14 15		6.	Is the subject of any court order, which directs the person to stay out of any specified area as a condition of release from custody, a condition of probation or parole or other supervision or any court order, in a criminal or civil case involving illegal drug activity; or
16 17		7.	Has been evicted as the result of his or her illegal drug activity and ordered to stay out of a specified area affected by drug-related activity.
18 19	D.	be g	rson convicted of a drug-traffic loitering shall wilty of a gross misdemeanor and punished in rdance with SMC Chapter 12A.02.
20	E .	This	ordinance shall sunset two (2) years following original effective date.
21	Sect	ion 2	. The provisions of this ordinance are declared
22	to be sep	arate	and severable. The invalidity of any clause,
23	sentence,	para	graph subdivision, section or portion of this
24	ordinance	, or	the invalidity of the application thereof to any
25	person ci	rcums	tance shall not affect the validity of the
26	remainder	of t	his ordinance, or the validity of its

Section 3. This Ordinance shall take effect and be in force thirty (30) days from and after its passage and

application to other persons or circumstances.

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ar	oproval, if approved by the Mayor; otherwise it shall take
e	fect at the time it shall become law under the provisions of
tl	ne City Charter.
	Passed by the City Council the 25 day of Que,
19	990, and signed by me in open session in authentication of
i	ts passage this <u>25</u> day of <u>June</u> , 1990.
	Mil Starles
	Fresident of the City Council
	Approved by me this b day of July 1990.
	Mounen Bruce
	Mayor
	Filed by me this day of, 1990.
	ATTEST: Yours & Broke
	City Comptroller and City Clerk
	By: Landy O. Illetarlin
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27 28 STATE OF WASHINGTON - KING COUNTY

28513 City of Seattle

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD: 115171

was published on 07/18/90

The amount of the fee charged for the foregoing publication is

the sum of \$

, which amount has been paid in full.

Subscribed and sworn to before me on

Notary Public for the State of Washington, residing in Seattle

Affidavit of Publication

City of Seattle

OEDINANCE 115171

As communes relating to the Seattle Criminal Code, amending Section 128.26 by adding a new Section .050 thereto to probling drug traffic loltering and prescribing problems

SE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 12%.20 of the Seattle Municipal Code

(Ordinance 102843) is amended by adding a new Section

127.20.050 as follows:

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Drig-Traffic Loitering. 12A.20.050

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- acceptance of a plea of guilty.

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 4. "Enough for trafficher" means a percent who has, within the knowledge of the arresting officer, been convicted within the last two means in any court of any illegal drug activity; []

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solicits, indeces, estions, or proveres wither to opening in unlawful conduct section; to cheeter 49.50, Chapter 49.51) or Cheeter 49.52 havined code of Bushington.

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D. A parson convicted of a drop-traffic lollaring shall be guilty of a green also memors and position in accordance with EEC Compter 122.02.

This ordinance shall surset two (2) years following its original effective date.

Section 2: The providing of this entirest are de-ty to reports the expression in including or my clu-cular providing manifelding, another or portion of the data of the contract of the contract of the contract person diposettons shall not affect the validity of the

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and by Joseph Aley J. BROOKS, Completed

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